S.B.CRIMINAL MISC. PETITION NO.411/2007
(Mohd. Muslim Vs. State of Raj.)

Date of order : : 29.05.2007

HON'BLE MR. KRISHAN KUMAR ACHARYA, J.

Mr.N.L.Joshi, for the petitioner.

By this misc. petition under Section 482 Cr.P.C., the petitioner is challenging the order dated 14.3.2007 passed by learned Sessions Judge, Churu whereby he has dismissed the application filed by the petitioner for handing over the passport on Supardginama.

Learned Sessions Judge has dismissed the application filed by the petitioner under Section 451, 457 Cr.P.C. on the ground that a criminal misc. petition No.1410/2005 is pending before this Court wherein further proceedings have been stayed. Learned counsel for the petitioner states that the aforesaid case being S.B.Criminal Misc. Petition No.1410/2005 has been decided by this Court and stay has already been vacated on 18.2.2006.

Looking to all the facts and circumstances of the case and in the interest of justice, accused-petitioner is directed to file fresh application for returning the passport before the learned Sessions Judge, Churu who shall decide the application of the petitioner in accordance with the law expeditiously.

With these observations/directions, this misc. petition stands disposed of.

(KRISHAN KUMAR ACHARYA), J.

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